



STATE OF CONNECTICUT  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

860 424 4054 P.01/12



February 8, 2008

Aquarion Water Company of Connecticut  
600 Lindley Street  
Bridgeport, CT 06606  
ATTN: Lan Mu

Post-It Fax Note 7671		Date 2/8/08	Page 12
To: <i>John S. Ketchum</i>	From: <i>Denise Ruzicka</i>		
City/Dept.:	Co. <i>DEP - IWRD</i>		
Phone #	Phone # <i>424-3853</i>		
Fax # <i>203-435-8818</i> <i>203-237-5939</i>	Fax # <i>424-</i>		

PERMIT NO.: DIV-200502499  
TOWNS: Ridgefield, Redding, Wilton, Easton,  
Weston, Westport & Fairfield  
WATERS: Hemlocks, Aspetuck and Saugatuck Reservoirs  
and Coleytown and Canal Street Wellfields

Dear Ms. Mu:

The Commissioner of Environmental Protection has approved your application to conduct certain regulated activities. Your attention is directed to the conditions of the enclosed permit. You should read your permit carefully. Construction and other work must conform to that which is authorized.

Section 22a-379 of the General Statutes requires the holder of a water diversion permit authorizing a consumptive use of waters of the state to pay an annual fee to the Commissioner of Environmental Protection. Currently, the annual fee established by Special Session Public Act No. 03-6 for such permits is \$750. Each year, the department mails an invoice for payment to each permit holder. Payment of the invoice is due by July 1<sup>st</sup>.

If you have not already done so, you should contact your local Planning and Zoning Office and the U. S. Army Corps of Engineers to determine local and federal permit requirements on your project, if any. Write the Corps' New England District, Regulatory Branch, 696 Virginia Road, Concord, MA 01742-2751; <http://www.nor.usace.army.mil/> or call (978) 318-8303.

If you have any questions concerning your permit, please contact the Inland Water Resources Division at (860) 424-3019.

Sincerely,

Denise Ruzicka  
Director  
Inland Water Resources Division  
Bureau of Water Protection and Land Reuse



STATE OF CONNECTICUT  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

PERMIT



PERMITTEE: Aquarion Water Company of Connecticut  
600 Lindley Street  
Bridgeport, CT 06606  
ATTN: Lan Mu

PERMIT NO.: DIV-200502499  
TOWNS: Ridgefield, Redding, Wilton, Easton,  
Weston, Westport & Fairfield  
WATERS: Hemlocks, Aspetuck and Saugatuck Reservoirs  
and Coleytown and Canal Street Wellfields

Pursuant to Connecticut General Statutes section 22a-368, the Aquarion Water Company of Connecticut (the "permittee") is hereby authorized to divert the waters of the state from the Aquarion Main System to Ridgefield and the Georgetown section of Redding (the "site") in accordance with permittee's application dated November 21, 2005, filed with this Department on November 23, 2005 and described herein. The purpose of the diversion is to provide public water supply to Ridgefield and Georgetown.

This authorization supercedes water diversion permit no. DIV-199903009.

**AUTHORIZED ACTIVITY**

The permittee is authorized to divert a maximum of 1.78 million gallons of water per day from the Aquarion Main System to Ridgefield and the Georgetown section of Redding utilizing existing water mains along Routes 7 and 102 (the "Georgetown Pipeline") and the Cannondale and Branchville Pump Stations. The permitted activity shall be conducted in accordance with plans entitled "Attachment C. Source Location Plan, Georgetown/Ridgefield Diversion Permit, Aquarion Water Company of Connecticut, Bridgeport, Connecticut," not dated, "Georgetown Service Area, Redding, Connecticut, Aquarion Water Company of Connecticut," Sheet 4 of 7, Attachment A-2, dated July 2004, and "Figure III-3, Existing and Potential Sources of Supply, Aquarion Water Company of Connecticut, Ridgefield Water Supply System, Ridgefield, Connecticut," dated August 2004, all prepared by Roald Haestad, Inc. and with the documentation submitted in the application. The diversion will supply a maximum of 1.30 million gallons of water over any twenty-four hour period to Ridgefield and a maximum of 0.48 million gallons of water over any twenty-four hour period to the Georgetown section of Redding.

**PERMITTEE'S FAILURE TO COMPLY WITH THE TERMS AND CONDITIONS OF THIS PERMIT SHALL SUBJECT PERMITTEE AND PERMITTEE'S CONTRACTOR(S) TO ENFORCEMENT ACTIONS AND PENALTIES AS PROVIDED BY LAW.**

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## SPECIAL CONDITIONS

1. **Metering of Water Transfer.** The permittee shall utilize the existing totalizing meter(s) and maintain a separate record of the amount of water diverted on a daily basis from the Aquarion Main System via the Georgetown pipeline into the Town of Redding and into the Town of Ridgefield, respectively. To provide the required metering records, the permittee shall: (1) utilize the totalizing meters at the Branchville Pump Station; (2) utilize totalized annual consumption records, obtained on a quarterly basis, of all customers in Ridgefield from the Wilton town line to the pump station; (3) normalize the totalized annual consumption records of all customers in Ridgefield from the Wilton town line to the pump station by dividing the consumption records by the numbers of days in the year multiplied by a 1.5 peaking factor; (4) utilize the totalizing meter at the Cannondale Pump Station in Wilton for Redding customers, until such time that a system for daily consumption metering is implemented in Redding; (5) utilize totalized annual consumption records, obtained on a quarterly basis, of all customers in Wilton from the Ridgefield town line to the Cannondale Pump Station; and (6) normalize the totalized annual consumption records from all customers in Wilton from Ridgefield town line to the Cannondale Pump station by dividing the consumption records by the number of days in the year multiplied by a 1.5 peaking factor. If the permittee expands water service along Route 7 north of its intersection with Route 102, the permittee shall install a meter pit or other mechanism to provide daily totalized flow records. The flow metering and reporting methodologies required under this permit may be modified during the permit period with approval of the Commissioner.
2. **Daily Transfer Record.** The permittee shall maintain a separate daily record of the meter readings indicating the total volume of water in gallons transferred from the Aquarion Main System via the Georgetown pipeline into the Town of Redding and the Town of Ridgefield that day. The daily record shall also record the time of meter readings, and denote and explain any instances in which the diversion of water exceeded the authorized withdrawal limitation(s) specified in this permit. A copy of the daily record of transfer shall be included in the Annual Report to the Commissioner required by Special Condition #14 of this permit.
3. **Reservoir Withdrawal Monitoring.** The permittee shall record the total volume of water withdrawn from Saugatuck Reservoir, Aspetuck Reservoir and Hemlocks Reservoir on a daily basis. Where a metering device is currently not available, the permittee shall provide in writing to the Department within 120 days of issuance of this permit a metering and/or monitoring plan. The permittee shall maintain records of the total amount to water withdrawn each day for public water supply purposes and shall for the

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Aquarion Water Company of Connecticut

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duration of this authorization continuously operate and maintain any such meters and other devices necessary for recording daily water withdrawals in good working order. In the event of meter malfunction or breakage, the permittee shall repair or replace such meters as soon as reasonable practicable, but in no case longer than in 30 days. The permittee shall record the total volume withdrawn in gallons, the date and time of the reading.

4. **Reservoir Water Surface Elevation Monitoring and Inflow Evaluation.** The permittee shall take water surface elevation readings from Saugatuck Reservoir, Aspetuck Reservoir and Hemlocks Reservoir on a daily basis. If the permittee utilizes remote data logging devices to collect the water surface elevations, the permittee shall download the data at least once per week to ensure that the device is working properly. In the event of device malfunction or breakage, the permittee shall repair or replace such devices as soon as reasonably practicable, but in no case longer than in 10 days. The permittee shall record the water surface elevation of the three reservoirs and the date and time of the reading. Based upon the reservoir withdrawal monitoring and reservoir water surface elevation monitoring the permittee shall calculate the daily inflow to each reservoir. A copy of the daily reservoir water surface elevation records, the daily withdrawal record and the calculated daily inflows shall be included in the Annual Report to the Commissioner required by Special Condition No. 14 of this permit.
5. **Reservoir Discharge Monitoring.** The permittee shall monitor the daily total discharge (spillage/leakage/blowoff) from: (a) the Saugatuck Reservoir to the Saugatuck River; (b) the Aspetuck Reservoir to the Aspetuck River; and (c) the Hemlocks Reservoir to Cricker Brook. The permittee shall provide in writing to the Department within 120 days of the issuance of this permit the exact location and methodology (staff gage, weir etc...) for monitoring the total reservoir discharge to the Saugatuck River, Aspetuck River and Cricker Brook, respectively. The permittee shall submit rating curves for any gages or weirs utilized for the daily flow monitoring to demonstrate their accuracy. Stream gaging, calibration of the gages, weirs and other approved structures, and measurements shall conform to the procedures described in the U.S. Geological Survey, Techniques for Water-Resources Investigations, Book 3, Chapter A6, R.W. Carter and Jacob Davidian, 1968; Chapter A7, T. J. Buchanan and W.P. Somers, 1968; and Chapter A8, T.J. Buchanan and W.P. Somers, 1969 ("USGS standards"). The permittee shall maintain all gages, weirs or other approved monitoring structures for the duration of the permit, including re-calibration and development of a new rating curve, as field conditions warrant. A copy of the daily reservoir discharge flows shall be included in the Annual Report to the Commissioner required by Special Condition No. 14 of this permit.
6. **Reservoir Flow Release Evaluation Report.** Prior to the expiration date of this permit

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the permittee shall submit to the Commissioner for review and approval a report which includes the following:

- A table which shows five years of the surface elevation, calculated inflow, withdrawal and discharge data, collected at Saugatuck Reservoir, Aspetuck Reservoir and Hemlocks Reservoir collected pursuant to Special Conditions #3, #4 and #5.
- A table which compares the five years of the discharge flow data for the Saugatuck River, Aspetuck River and Cricker Brook, respectively, collected at the Saugatuck Reservoir, Aspetuck Reservoir and Hemlocks Reservoir, pursuant to Special Condition #5, to the monthly Connecticut Aquatic Base Flow Method values calculated for each of the reservoir outlet locations (as shown in the following tables 1 through 3).

Table 1. Connecticut Aquatic Base Flow Values for the Saugatuck River at the outlet of the Saugatuck Reservoir with a drainage area of 34.5 square miles

Month	Total Discharge from Saugatuck Reservoir (cfs)
January	52.79
February	61.07
March	89.70
April	87.63
May	56.24
June	26.57
July	11.39
August	7.94
September	7.59
October	15.53
November	39.33
December	52.44

Table 2. Connecticut Aquatic Base Flow Values for the Aspetuck River at the outlet of the Aspetuck Reservoir with a drainage area of 17.6 square miles

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Month	Total Discharge from Aspetuck Reservoir (cfs)
January	26.93
February	31.15
March	45.76
April	44.70
May	28.69
June	13.55
July	5.81
August	4.05
September	3.87
October	7.92
November	20.06
December	26.75

Table 3. Connecticut Aquatic Base Flow Values for Cricker Brook at the outlet of the Hemlocks Reservoir with a drainage area of 5.3 square miles

Month	Total Discharge from Hemlocks Reservoir (cfs)
January	8.11
February	9.38
March	13.78
April	13.46
May	8.64
June	4.08
July	1.75
August	1.22
September	1.17
October	2.39
November	6.04
December	8.06

- A recommended monthly minimum flow release regime, in cubic feet per second, from the Saugatuck Reservoir, Aspetuck Reservoir and Hemlocks Reservoir to the

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Aspetuck River and Cricker Brook, respectively. The proposed monthly flow releases must provide for: Aquarion Water Company of Connecticut's needs in regards to providing public water supply, stream and river ecology needs, the requirements of natural aquatic life, natural wildlife and public recreation; and must consider the natural flow of water into the reservoirs and the withdrawals therefrom.

- A narrative that evaluates whether the proposed flow releases from Saugatuck Reservoir, Aspetuck Reservoir and Hemlocks Reservoir meets the flows calculated using the Connecticut Aquatic Base Flow Method or an alternate measure of ecologically protective flow approved by the Commissioner. If these flows are not met, the narrative shall include an assessment of the recommended release regime's impacts on the requirements of natural aquatic life, natural wildlife and public recreation for the Saugatuck River, Aspetuck River and Cricker Brook. The narrative shall also include, but not be limited to, an analysis of the impact of the proposed flow releases on Aquarion Water Company's ability to meet its needs in regards to providing adequate public water supply, an analysis of the data collected pursuant to Special Conditions No. 3, 4 and 5 of this permit, and a description of the hydrologic conditions during the five-year data collecting and monitoring period.

The proposed monthly flow releases from the reservoirs shall be evaluated by the Commissioner in any subsequent application for renewal of this permit.

7. **Record Keeping and Reporting** The permittee shall take total discharge readings from the Saugatuck River, Aspetuck River and Cricker Brook on a daily basis and convert it to a flow value using the stream gage discharge rating curves submitted to the Department pursuant to Special Condition # 3. The permittee shall record both the stage reading, the date and time of the reading and the converted flow value at the time of measurement. A copy of said stream gage, weir and flow monitoring records shall be included in the Annual Report to the Commissioner required by Special Condition #14 of this permit.
8. **Leak Detection.** Every three years based upon the schedule below, the permittee shall conduct a system wide comprehensive leak detection survey of the Ridgefield and Redding distribution systems and repair any leaks found. A similar survey shall be performed on the Main System every five years. The leak detection survey shall follow standards and criteria contained within AWWA Manual M36, as may be amended or revised. No later than February 28, of the following year, the permittee shall provide a report to the Commissioner of all actions taken pursuant to the leak detection survey, including the number of miles of water main surveyed, the survey techniques and

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methodology utilized, the number of leaks detected and the actual repairs made. The permittee shall undertake such leak detection surveys on or before December 31, 2010, December 31, 2013 and December 31, 2016 for the Ridgefield and Redding systems and December 31, 2012 and December 31, 2017 for the Main System.

9. **Meter Calibration.** The permittee shall annually test each meter referenced in Special Conditions #1 and #2 above and calibrate to within two percent accuracy as shown through a post-calibration test. The permittee shall maintain a record of the accuracy and calibration tests along with supporting documentation and certifications. The permittee shall make a copy of said records available to the Commissioner or the Commissioner's designee immediately upon request.
10. **Long-range Water Conservation Plan.** The permittee shall implement its Long-range Water Conservation Plans in the Towns of Ridgefield and Redding, as described in the permittee's application, and in accordance with the permittee's Water Supply Plan as approved pursuant to CGS Section 25-32d and any amendments or updates thereto. The permittee shall maintain a summary of all actions taken each year pursuant to the Long-range Water Conservation Plan and a description of the estimated or actual water savings achieved. A copy of this summary shall be included in the Annual Report to the Commissioner required by Special Condition #14 of this permit.
11. **Unaccounted for Water.** The permittee shall, on or before six months after the date of issuance of the permit, submit for the Commissioner's written approval a plan to reduce unaccounted for water in the Ridgefield and Redding distribution systems to 15% within five years of the date of issuance of said permit (the "plan"). Such plan shall provide a schedule for implementing remedial actions for reducing lost or nonrevenue water, and a detailed program for measuring the effectiveness of such actions in reducing the quantity of lost or nonrevenue water. Such remedial actions shall include, but are not necessarily limited to: timely repair of leaks and pipe replacement. Such plan shall be prepared using the standards of the interagency memorandum of understanding adopted pursuant to section 4-67c of the Connecticut General Statutes.
12. **Record Keeping Requirements.** Except as provided below, or as otherwise specified in writing by the Commissioner, all information required under this permit shall be retained at the subject site, or be readily available on request. The permittee shall maintain a copy of this permit on site at all times. The permittee shall retain copies of all records and reports required by this permit, and records of all data used to compile these reports for a period of at least ten years from the date such data was generated or report created, whichever is later.



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13. **Recording and Reporting Violations.** Within 48 hours after the permittee learns of a violation of this permit, the permittee shall submit in writing a report of the violation to the Commissioner. Such report shall be certified in accordance with General Condition #11 and shall include the following information:

- a. The provision(s) of this permit that has been violated;
- b. The date and time the violation(s) was first discovered and by whom;
- c. The cause of the violation(s), if known;
- d. If the violation(s) has ceased, the duration of the violation(s) and the exact date(s) and time(s) it was corrected;
- e. If the violation(s) has not ceased, the anticipated date when it will be corrected; and
- f. Actions taken and planned to prevent a recurrence of the violation(s) and the date(s) such actions were implemented or will be implemented.

14. **Annual Report.** The permittee shall submit by February 28 of each year, for the duration of this permit, an Annual Report for the preceding calendar year. The Annual Report shall be certified in accordance with General Condition #11 of this permit and shall contain the following:

- a. A copy of the record of daily transfer and hours operated as required by Special Condition #2 of this permit;
- b. A copy of the daily reservoir water surface elevation records, the daily withdrawal record and the calculated daily inflows as required by Special Condition #4 of this permit;
- c. A copy of the daily reservoir discharge flows as required by Special Condition #5 of this permit;
- d. A copy of the stream gage, weir and flow monitoring records as required by Special Condition #7;
- e. A copy of the leak detection report as required by Special Condition #8 of this permit; and
- f. Summary report of all the actions taken pursuant to the Long-Range Water Conservation Plan and Water Conservation Plan and description of actual or estimated water savings achieved, as required by Special Condition #10 of this permit.

## GENERAL CONDITIONS

1. The permittee shall notify the Commissioner in writing two weeks prior to: (A) commencing construction or modification of structures or facilities authorized herein; and

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(B) initiating the diversion authorized herein.

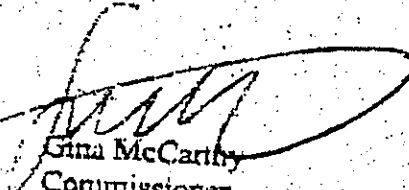
2. The permittee may not make any alterations, except de minimis alterations, to any structure, facility, or activity authorized by this permit unless the permittee applies for and receives a modification of this permit in accordance with the provisions of section 22a-377(c)-2 of the Regulations of Connecticut State Agencies. Except as authorized by subdivision (5) of section 22a-377(b)-1(a) of the Regulations of Connecticut State Agencies, the permittee may not make any de minimis alterations to any structure, facility, or activity authorized by this permit without written permission from the Commissioner. A de minimis alteration means an alteration which does not significantly increase the quantity of water diverted or significantly change the capacity to divert water.
3. All structures, facilities, or activities constructed, maintained, or conducted pursuant hereto shall be consistent with the terms and conditions of this permit, and any structure, facility or activity not specifically authorized by this permit, or exempted pursuant to section 22a-377 of the General Statutes or section 22a-377(b)-1 of the Regulations of Connecticut State Agencies, shall constitute a violation hereof which may result in modification, revocation or suspension of this permit or in the institution of other legal proceedings to enforce its terms and conditions.
4. Unless the permittee maintains in optimal condition any structures or facilities authorized by this permit, the permittee shall remove such structures and facilities and restore the affected waters to their condition prior to construction of such structures or facilities.
5. In issuing this permit, the Commissioner has relied on information provided by the permittee. If such information was false, incomplete, or misleading, this permit may be modified, suspended or revoked and the permittee may be subject to any other remedies or penalties provided by law.
6. If construction of any structures or facilities authorized herein is not completed within three years of issuance of this permit or within such other time as may be provided by this permit, or if any activity authorized herein is not commenced within three years of issuance of this permit or within such other time as may be provided by this permit, this permit shall expire three years after issuance or at the end of such other time.
7. This permit is subject to and does not derogate any rights or powers of the State of Connecticut, conveys no property rights or exclusive privileges, and is subject to all public and private rights and to all applicable federal, state, and local law. In constructing or maintaining any structure or facility or conducting any activity authorized herein, the permittee may not cause pollution, impairment, or destruction of the air, water, or other

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shall be the date such document is received by the Commissioner. The date of any notice by the Commissioner under this permit, including but not limited to notice of approval or disapproval on any document or other action, shall be the date such notice is personally delivered or the date three days after it is mailed by the Commissioner, whichever is earlier. Except as otherwise specified in this permit, the word "day" as used in this permit means any calendar day. Any document or action which is required by this permit to be submitted or performed by a date which falls on a Saturday, Sunday or legal holiday shall be submitted or performed by the next business day thereafter.

This authorization constitutes the permit required by section 22a-368(b) of the Connecticut General Statutes.

Issued as a permit of the Commissioner of Environmental Protection on 2/8/05.

  
Gina McCarthy  
Commissioner

Aquarion Water Company  
of Connecticut  
600 Lindley Street  
Bridgeport, CT 06606  
www.aquarionwater.com



**AQUARION**  
*Water Company*

*Quality Water for Life®*

Mr. Peter B. Galant  
Tighe & Bond, Inc.  
1000 Bridgeport Ave.  
Shelton, CT 06484

March 17, 2006

re: Water Supply to Georgetown Land Development project

Dear Peter:

The purpose of this letter is to confirm our previous email correspondence that up to 44,500 gallons per day (gpd) of water supply is available on a maximum day basis for the Georgetown Land Development project in Redding. Water supply for fire protection is not subject to this limitation.

As you know, in November 2005 Aquarion applied to the Connecticut Department of Environmental Protection (DEP) for a diversion permit to increase the available water supply to our service area in Redding. A projected maximum day demand of 340,000 gpd was included in this application for the Georgetown Land Development project.

Thank you for your patience. We will keep you informed of our progress in obtaining the DEP diversion permit.

Sincerely,

John Marsilio  
Director  
Capital and Planning



STATE OF CONNECTICUT  
DEPARTMENT OF ENVIRONMENTAL PROTECTION



CERTIFICATE OF APPROVAL

Georgetown Land Development Company, LLC  
c/o Stephen Solar  
1 North Main Street  
P.O. Box 36  
Georgetown, CT 06829

RECEIVED  
JAN 02 2008

BY: \_\_\_\_\_

Town: Redding  
Permit No.: DS-07-01 EA  
Dam Inv. No.: 11701

NAME AND LOCATION OF STRUCTURE: Factory Pond Dam is located on the Norwalk River in the town of Redding just north of Main Street.

DESCRIPTION OF STRUCTURE AND WORK PERFORMED: The work performed consisted of restoring deteriorated stone masonry at the left side of the stone masonry spillway, removing trees and brush from the dam, placing riprap at the toe of the dam and placing low pressure grout in the spillway section of the dam.

EMERGENCY AUTHORIZATION ISSUED UNDER DATE OF: January 26, 2007

This certifies that the work and construction included in the plans submitted for the structure described above, has been completed to the satisfaction of this department and that this structure is hereby approved in accordance with Section 22a-405 of the Connecticut General Statutes.

The owner is required by law to record this certificate in the land records of the town or towns in which the structure is located.

The owner is also reminded of Section 26-138 and 26-139 of the General Statutes pertaining to the requirement that the Commissioner of the Department of Environmental Protection be notified at least forty-eight hours prior to the intentional draining of any impoundment.

12/13/07  
Date

*[Signature]*  
Betsey Wingfield, Bureau Chief  
Bureau of Water Protection and Land  
Reuse

RECEIVED FOR RECORD @ 1:25  
this 23<sup>rd</sup> day of January, 2008

ATTEST: *[Signature]*  
REDDING TOWN CLERK



STATE OF CONNECTICUT  
DEPARTMENT OF ENVIRONMENTAL PROTECTION



CERTIFICATE OF APPROVAL

Georgetown Land Development Company, LLC  
c/o Stephen Solar  
1 North Main Street  
P.O. Box 36  
Georgetown, CT 06829

RECEIVED  
JAN 02 2008

BY: \_\_\_\_\_

Town: Redding  
Permit No.: DS-07-01 EA  
Dam Inv. No.: 11701

NAME AND LOCATION OF STRUCTURE: Factory Pond Dam is located on the Norwalk River in the town of Redding just north of Main Street.

DESCRIPTION OF STRUCTURE AND WORK PERFORMED: The work performed consisted of restoring deteriorated stone masonry at the left side of the stone masonry spillway, removing trees and brush from the dam, placing riprap at the toe of the dam and placing low pressure grout in the spillway section of the dam.

EMERGENCY AUTHORIZATION ISSUED UNDER DATE OF: January 26, 2007.

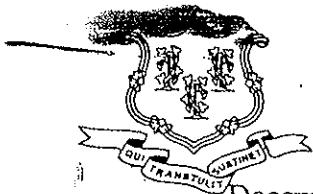
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The owner is required by law to record this certificate in the land records of the town or towns in which the structure is located.

The owner is also reminded of Section 26-138 and 26-139 of the General Statutes pertaining to the requirement that the Commissioner of the Department of Environmental Protection be notified at least forty-eight hours prior to the intentional draining of any impoundment.

12/13/07  
Date

Betsey Wingfield, Bureau Chief  
Bureau of Water Protection and Land  
Reuse



~~STATE OF CONNECTICUT~~  
DEPARTMENT OF ENVIRONMENTAL PROTECTION



December 14, 2006

Georgetown Land Development Company, LLC  
P.O. Box 36  
Georgetown, CT 06828  
Attn: Stephen M. Soler

Dear Mr. Soler:

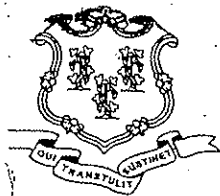
The Department of Environmental Protection's Bureau of Materials Management and Compliance Assurance staff has reviewed the amended Stormwater Pollution Control Plan and associated site plans submitted by Fuss & O'Neill to the Department, which I received December 1, 2006. Rob Danielson sent addition changes via electronic mail on December 8 and December 11, 2006. The additional information addresses all questions as they relate to the General Permit for the Discharge of Stormwater and Dewatering Wastewaters Associated with Construction Activities ("Stormwater Construction Permit") for Permit # GSN001551 issued Georgetown Land Development Company. We will continue to provide feedback as the project progresses.

This letter does not relieve you of the obligation to obtain any other authorizations as may be required by Federal, State or Local laws or regulations.

Sincerely,

Donna M. Seresin  
Sanitary Engineer III  
Bureau of Materials Management and Compliance Assurance  
Water Permitting and Enforcement Division

CC: Marina Roser, DEP  
Dennis Tobin, Town of Redding



**STATE OF CONNECTICUT**  
**DEPARTMENT OF ENVIRONMENTAL PROTECTION**



**TEMPORARY AUTHORIZATION**

- I. Pursuant to section 22a-6k(b) of the Connecticut General Statutes (CGS), a Temporary Authorization ("Authorization") is hereby issued to:

Georgetown Land Development Company, LLC  
P.O. Box 36, One North Main Street  
Georgetown, CT 06829

to initiate, create, originate or maintain a discharge to the waters of the state, specifically to ground water in the Norwalk River Basin Watershed at:

Former Gilbert & Bennett  
One North Main Street  
Redding, Connecticut

- II. This Authorization specifically allows the Discharger to emplace a slurry of granular magnesium peroxide oxygen releasing compound (ORC) at locations specified in the application into saturated soils to enhance the bioremediation of pollutants associated with a release of xylenes and ethyl benzene.
- III. This Authorization shall become effective 24 hours after the Department is notified in writing of the anticipated commencement of the authorized injection or emplacement and shall expire: 1) thirty days after that effective date; 2) when the requirements for coverage under a general permit issued pursuant to CGS section 22a-430b have been satisfied; 3) upon issuance of an individual permit pursuant to CGS 22a-430 as amended; or 4) immediately upon notification of a tentative determination to deny a permit; whichever is sooner.
- IV. The fee of \$1125.00 has been submitted for issuance of this Authorization.
- V. This Authorization has been issued based on the Application for Temporary Discharge Authorization received June 19, 2006, and submitted on behalf of the applicant by Fuss & O'Neill.

VI. A. **DEFINITIONS**

- 1) The definitions of terms used in this Authorization shall be the same as the definitions contained in CGS section 22a-423, and section 22a-430-3(a) of the Regulations of Connecticut State Agencies.
- 2) In addition to the above, the following definitions shall apply to this Authorization:
  - (a) "Discharge" shall include the subsurface injection or emplacement of solids or slurries that may release chemicals to the waters of the state.



- (b) "Discharger" includes the applicant named in Paragraph I. of this Authorization and any operator actually implementing the Discharge. Specifically: Any person who, or municipality which initiates, creates, originates, or maintains a discharge for which an Authorization is issued must comply with that Authorization. If the source or activity generating the discharge for which an Authorization is issued is owned by one person or municipality but is leased or in some other way the legal responsibility of another person or municipality (the discharger), the Discharger is responsible for compliance with any Authorization issued by the Commissioner.

B. SPECIAL CONDITIONS

- 1) The following conditions shall be complied with at all times:
  - (a) The emplacement shall be conducted in accordance with procedures and protocols presented in the Application for Temporary Discharge Authorization, and shall be limited to the specific locations identified.
  - (b) The material shall be installed to ensure that to the extent possible the Oxygen Release Compound (ORC) will have contact with groundwater in sufficient quantity to stimulate its dispersal through the contaminated zone.
  - (c) The discharge shall be limited to the dates specified in Paragraph III of this permit, within the area specified in the Application for Temporary Discharge Authorization.
  - (d) The discharge shall not begin until all soils to a level 1.5 feet below the seasonal low elevation of the water table have been excavated.
  - (e) The DEP shall be notified in writing at least 24 hours prior to the anticipated commencement of the authorized ORC emplacement.
  - (f) If any substantial increase in oxidation reduction potential (greater than 50% over baseline monitoring) is observed at any of the observation wells, MW-03S and TMWW-B06, sampling for iron, manganese, zinc and arsenic shall be conducted. Any such increase in oxidation reduction potential shall be reported to the DEP within 48 hours.
  - (g) Soil vapor monitoring and operation of a soil venting system shall continue for the duration of this permit.

- 2) Monitoring shall be conducted in accordance with the monitoring plan submitted in the permit application. The following conditions also apply to the monitoring program:
  - (a) Monitoring frequency shall be at least quarterly for at least one year from the emplacement of the ORC material. Monitoring shall continue for a minimum period of one year beyond the active life span of the treatment material discharged to the environment.
  - (b) Field measurements shall be recorded in a log to be submitted with laboratory analysis.
- 3) Submittals to DEP shall be as follows:
  - (a) A detailed report of all associated site activities including application method, application rate, and groundwater quality results, shall be submitted within 60 days of the emplacement of the ORC slurry.
  - (b) Within two weeks of sampling, monitoring reports and field logs shall be submitted to DEP.
  - (c) Unless otherwise stated in this Authorization, documents required to be submitted to DEP shall be addressed to:

Marina Roser  
Bureau of Water Protection and Land Reuse  
Remediation Division  
Department of Environmental Protection  
79 Elm Street  
Hartford, CT 06106-5027
  - (d) When required, immediate notification to DEP shall be to:

Marina Roser  
Phone Number: (860) 424-3574  
Telefax Number: 860-424-4059

**C. STANDARD CONDITIONS**

- 1) All sampling and analyses required by this Authorization shall, unless otherwise specified in this Authorization, comply with the following requirements:

- (a) All samples collected to monitor groundwater impacts shall be grab samples. All samples shall be composed solely of groundwater representative of the discharge during standard operating conditions.
  - (b) Any monitoring required under this Authorization for temperature, dissolved oxygen, dissolved carbon dioxide, pH, conductivity, and oxidation-reduction potential shall be conducted in the field using field test kits or electronic probes as appropriate.
  - (c) The Bureau of Water Protection and Land Reuse must be notified immediately if field monitoring required by this Authorization is not conducted.
  - (d) Laboratory analyses, and the reporting of such analyses, shall be conducted by a laboratory certified by the Connecticut Department of Public Health. Analyses shall be performed using methods, approved in accordance with 40 CFR 136, which are capable of achieving limits of detection below any level established as an effluent limitation in this Authorization.
- 2) Discharger shall comply with the following conditions while conducting activities under this Authorization:
- (a) If authorized activities create a potential for pollution due to the erosion of soil, erosion and sediment control measures shall be installed and maintained in compliance with the standards set forth in the "2002 Connecticut Guidelines for Soil Erosion and Sediment Control" as revised, established pursuant to section 22a-328 of the Connecticut General Statutes.
  - (b) Best management practices shall be implemented to ensure that no litter, debris, building materials or similar materials are discharged to the waters of the state or to the ground.
- 3) For consistency with Federal Resource Conservation and Recovery Act: Solid waste, including but not limited to contaminated soils or sludges, may be generated as a result of the activity allowed by this Authorization. All waste generated must be disposed of in accordance with applicable federal, state and local law. Some or all of these wastes may be hazardous waste identified in accordance with Section 3001 of the Federal Resource Conservation and Recovery Act of 1976 (42 USC 6901 et seq.) or other wastes of special concern requiring Department approval prior to disposal. It is the responsibility of the authorized person or municipality to ensure that all wastes generated are properly identified and that all necessary Department approvals are secured prior to disposal of the wastes. For further information regarding solid waste management, please contact the Waste Engineering and Enforcement

Division of the Department of Environmental Protection at (860) 424-3023.

- 4) No provision of this Authorization and no action or inaction by the Commissioner shall be construed to constitute an assurance by the Commissioner that the actions taken by the discharger pursuant to this Authorization will achieve remediation goals, result in compliance, or prevent or abate pollution.

D. GENERAL PROVISIONS

- 1) This Authorization shall be non-transferrable.
- 2) The Discharger shall comply with the following Regulations of Connecticut State Agencies, which are hereby incorporated into this Authorization as if fully set herein:

Section 22a-430-3

Subsection (b) General

- subparagraph (1)(D) and subdivisions (2), (3), (4) and (5)

Subsection (c) Inspection and entry

Subsection (d) Effect of a permit

- subdivisions (1) and (4)

Subsection (e) Duty to comply

Subsection (f) Proper operation and maintenance

Subsection (g) Sludge disposal

Subsection (h) Duty to Mitigate

Subsection (i) Facility modifications; Notification

- subdivisions (1) and (4)

Subsection (j) Monitoring, records and reporting requirements

- subdivisions (1), (6), (7), (8), (9), and (11)

(except subparagraphs (9)(A)(2), and (9)(C))

Subsection (k) Bypass

Subsection (m) Effluent limitation violations

Subsection (n) Enforcement

Subsection (o) Resource Conservation

Subsection (p) Spill Prevention and Control

Subsection (q) Instrumentation, Alarms, Flow Recorders

Subsection (r) Equalization

Section 22a-430-4

Subsection (p) Permit revocation, denial or modification

Subsection (t) Discharges to POTWs - Prohibitions

Appendices

- 3) This Authorization is for the discharge of (a) pollutants in quantities and concentrations as specified in this Authorization; and (b) any substances resulting from the processes or activities described in this Authorization in concentrations and quantities which the Commissioner determines cannot reasonably be expected to cause pollution. Discharge of any substance which is not from the processes or activities described in this Authorization shall be considered a violation of this Authorization unless it is authorized by an individual permit issued under Section 22a-430 of the CGS or a general permit issued under section 22a-430b of the CGS. However, the Commissioner may seek an injunction or issue an order to prevent or abate pollution, and may seek criminal penalties against a person who willfully or with criminal negligence causes or threatens pollution.
- 4) Within fifteen days after the date the Discharger becomes aware of a change in any information submitted to the Commissioner under this Authorization, or that any such information was inaccurate or misleading or that any relevant information was omitted, the Discharger shall submit the correct or omitted information in writing to the Commissioner.
- 5) Nothing in this Authorization shall relieve the Discharger of other obligations under applicable federal, state and local law.
- 6) Any document, including but not limited to any notice, which is required to be submitted to the Commissioner under this Authorization by the Discharger shall be signed by the Discharger and by the individual or individuals responsible for actually preparing such document, each of whom shall certify in writing as follows: I have personally examined and am familiar with the information submitted in this document and all attachments and certify that based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, the submitted information is true, accurate and complete to the best of my knowledge and belief, and I understand that any false statement made in this document or its attachments may be punishable as a criminal offense.
- 7) Any false statement in any information submitted pursuant to this Authorization may be punishable as a criminal offense under section 22a-438 of the CGS or, in accordance with section 22a-6, under Section 53a-157b of the CGS.
- 8) The Commissioner reserves the right to make appropriate revisions to this Authorization in order to establish any appropriate effluent limitations, schedules of compliance, or other provisions which may be necessary to adequately protect human health and the environment.

- 9) The Commissioner may order summary suspension of this Authorization in accordance with section 4-182 of the CGS.

Entered as a Temporary Authorization of the Commissioner of Environmental Protection.

8/24/06  
Date

Betsey Wingfield  
Bureau Chief

Authorization No. TA-60